

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FOCUS PRODUCTS GROUP INTERNATIONAL, LLC,  
ZAHNER DESIGN GROUP LTD., HOOKLESS SYSTEMS  
OF NORTH AMERICA, INC., SURE FIT HOME  
PRODUCTS, LLC, SURE FIT HOME DÉCOR HOLDINGS  
CORP., and SF HOME DÉCOR, LLC,

Plaintiffs,

-v-

KARTRI SALES CO., INC., and MARQUIS MILLS  
INTERNATIONAL, INC.,

Defendants.

15 Civ. 10154 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

With counsel having indicated their availability, the Court hereby schedules a bench trial in this case for June 15–17, 2022 and June 27–29, 2022 in Courtroom 1305 at the Thurgood Marshall U.S. Courthouse, 40 Centre Street, New York, New York 10007. Trial will start promptly at 9 a.m. each of those dates. In the event an additional trial day proves necessary, the Court will choose such a date in consultation with counsel as close as possible to the above dates.

The parties are directed, by May 13, 2022, to submit their proposed findings of fact<sup>1</sup> and conclusions of law, and the required pretrial submissions under this Court’s Individual Rule 5(C). Ordinarily in bench trials implicating complex commercial dealings, the Court receives direct testimony from party witnesses by means of sworn written declaration, as reflected in the Court’s Individual Rules. Because the parties had, until recently, sought a jury trial at which live

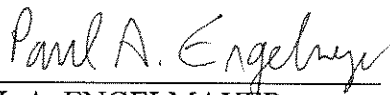
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<sup>1</sup> The findings of fact must—with specificity—cite to the source of the fact proffered, *e.g.*, the anticipated live testimony of a particular witness, the deposition testimony of a particular witness who would not be called for live testimony, or exhibits.

testimony would be heard, the Court is not inclined to insist on preparation of written direct testimony by party witnesses, recognizing the additional burden this would place on counsel. That, however, is premised on the Court's expectation that the live testimony of the formidable number of witnesses described in the joint pretrial order can be completed in the time allocated for this trial. Following the close of the evidence, counsel are promptly to update the proposed findings of fact by inputting citations to trial testimony.

The Court further directs each party, by April 29, 2022, to file a letter stating which of its witnesses it intends to call for live testimony, and which for testimony by deposition.

SO ORDERED.

  
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PAUL A. ENGELMAYER  
United States District Judge

Dated: April 25, 2022  
New York, New York